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Minutes, 2013 August 7

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**MEETING OF THE UNIVERSITY OF CONNECTICUT
BOARD OF TRUSTEES**

MINUTES

University of Connecticut
Rome Commons Ballroom
South Campus Complex
Storrs, Connecticut

August 7, 2013

OPEN SESSION

The meeting was called to order at 11:08 a.m. by Chairman Lawrence D. McHugh. Trustees Francis X. Archambault, Jr., Louise M. Bailey, Rose A. Barham, Andy F. Bessette, Charles F. Bunnell, Shari G. Cantor, Richard T. Carbray, Jr., Sanford Cloud, Jr., Michael K. Daniels, Andrea Dennis-LaVigne, Juanita T. James, Thomas E. Kruger, Rebecca R. Lobo, and Thomas D. Ritter were in attendance.

Trustee Denis Nayden participated by telephone.

Trustees Marilda L. Gandara, Stefan Pryor, Steven K. Reviczky, Catherine H. Smith, and Mary Ann Handley, Governor Malloy's designee, were not in attendance.

The following University staff were present: President Herbst, Provost and Executive Vice President for Academic Affairs Choi, Executive Vice President for Administration and Chief Financial Officer Gray, Vice President for Communications Kendig, Athletic Director Manuel, Associate Vice President for Diversity and Equity and Title IX Coordinator Conklin, University Master Planner and Chief Architect Cruickshank, Executive Director of Recreational Services Costanzo, Executive Secretary to the Board Rubin, General Counsel Orr, Counsel Gelston, and Deputy Chief of Staff Kirk.

Senate Representatives Gary English, Donna Korbel, Lawrence Silbart, Zeki Simsek, and William Stwalley were in attendance.

1. Public Participation

Ms. Winifred Gordon and Ms. Jean deSmet raised concerns about the proposed Tech Park and the potential sources of water supply.

2. Chairman's Report

(a) Matters outstanding

Chairman McHugh welcomed to the Board new Trustees Andy F. Bessette, Charles F. Bunnell, Shari G. Cantor, Michael K. Daniels, and Andrea Dennis-LaVigne, D.V.M.

He also announced new vice-chairs for the following Board Committees: Dr. Francis X. Archambault, Jr. as Vice-Chair for the Academic Affairs Committee; Mr. Thomas E. Kruger as Vice-Chair for the Financial Affairs Committee; and Ms. Marilda L. Gandara as Vice-Chair for the Institutional Advancement Committee.

General Counsel Richard F. Orr gave an overview and timeline of the steps taken regarding the allegations surrounding Professor Robert Miller.

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(b) Minutes of the meeting of June 26 and July 24, 2013

On a motion by Ms. James, seconded by Mr. Bessette, the Board voted unanimously to approve the minutes of the meetings of June 26 and July 24, 2013.

(c) Consent Agenda Items:

On a motion by Mr. Carbray, seconded by Ms. James, the Board voted to approve the Consent Agenda items, including a revised Contracts and Agreements list:

- (1) Contracts and Agreements for the Storrs-based programs (Attachment 1)
- (2) Reimbursement of Moving Expenses Policy and Procedures (Attachment 2)
- (3) Reimbursement of Recruitment Expenses Policy and Procedures (Attachment 3)
- (4) Tenure at Hire (Attachment 4)
- (5) Tenure Relocation (Attachment 5)
- (6) Designation of Emeritus Status (Attachment 6)
- (7) Sabbatical Leave Recommendations (Attachment 7)
- (8) Appointment of Professor Preston A. Britner to the Philip E. Austin Endowed Chair in the College of Liberal Arts and Sciences (Attachment 8)
- (9) Appointment of Professor Jeffrey S. Volek to the Dr. Robert C. and Veronica Atkins Endowed Chair in Personalized Approach to Lifestyle in the Neag School of Education (Attachment 9)
- (10) Appointment of Professor Preston C. Green III to the John and Carla Klein Professorship for Urban Education in the Neag School of Education (Attachment 10)
- (11) Appointment of Professor Jonathan A. Plucker to a "Neag Professorship" in the Neag School of Education (Attachment 11)
- (12) Appointment of Professor Suzanne M. Wilson to a "Neag Professorship" in the Neag School of Education (Attachment 12)
- (13) Appointment of Professor Steven Wilf to the Anthony J. Smits Professorship of Global Commerce in the School of Law (Attachment 13)
- (14) Approval of Proposed Changes to the *By-Laws of the University of Connecticut* (Article XIV – The University Staff, Section K – Retirement) (Attachment 14)
- (15) Policy on Re-Employed Retirees (Attachment 15)

(d) Informational item:

- (1) Notification of Proposed Changes to the *By-Laws of the University of Connecticut* Regarding Aligning Current University Titles and Practices (Attachment 16)

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3. President's Report

President Herbst informed the Board that the Department of Dining Services recently negotiated a three-year contract with their non-State University employees for a contract term from July 1, 2013 to June 30, 2016. The Dining Services employs approximately 385 non-State University employees, who work on a seasonal basis based on operational needs.

- (a) Presentation: Recreational Center Update
Presenters: Executive Vice President and Chief Financial Officer Richard Gray
University Master Planner and Chief Architect Laura Cruickshank
Executive Director of Recreational Services Cynthia Costanzo
- (b) Presentation: Innovative Partnership Building (Tech Park) Update
Presenters: Executive Vice President and Chief Financial Officer Richard Gray
University Master Planner and Chief Architect Laura Cruickshank

President Herbst introduced Associate Vice President for Diversity and Equity and Title IX Coordinator Elizabeth Conklin to update the Board on the proposed University of Connecticut Policy Against Discrimination, Harassment and Inappropriate Romantic Relationships.

On a motion by Mr. Carbray, seconded by Mr. Kruger, the Board voted unanimously to add to the agenda the University of Connecticut Policy Against Discrimination, Harassment and Inappropriate Romantic Relationships. After discussion, Mr. Carbray motioned, seconded by Mr. Ritter to approve the Policy. The Board voted unanimously in favor.

(A copy of the handout is attached to the file copy of the Board minutes.)

4. Academic Affairs Committee Report

- (a) Report on Committee activities
- (b) Informational item:
 - (1) Five-Year Review Centers and Institutes (Attachment 17)

5. Financial Affairs Committee Report

- (a) Report on Committee activities
- (b) Items requiring Board discussion and approval:

On a motion by Ms. Cantor, seconded by Ms. James, the Board voted unanimously to approve the following items:

- (1) Revised Spending Plan for Fiscal Year 2014 for the University of Connecticut, Storrs and Regional Campuses (Attachment 18)
- (2) Settlement of the Advanced Technology and Incubator Building Roof Litigation (Attachment 19)
- (3) Settlement of the Agricultural Biotechnology Laboratory and Greenhouse ("Ag-Bio") Building Roof Litigation (Attachment 20)
- (4) Project Budget (Planning) for Hartford Relocation Acquisition/Renovation (Attachment 21)
- (5) Project Budget (Planning) for Sewer Line Replacement – Storrs Road Pump Station (Attachment 22)
- (6) Project Budget (Design) for Advanced Technology Laboratory and White Building Electrical & Generator Modifications (Attachment 23)

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- (7) Project Budget (Design) for Atwater Laboratory Electrical Service Project (Attachment 24)
 - (8) Project Budget (Design) for Beach Hall Renovations – Molecular Cell Biology Laboratory for New Faculty (Attachment 25)
 - (9) Project Budget (Design) for Gant Building Renovations – Data Center Stabilization (Attachment 26)
 - (10) Project Budget (Design) for New Faculty Renovations – George C. White Building, Animal Science Lab (Attachment 27)
 - (11) Project Budget (Final) for Heating Plant Upgrade – Boiler Reliability Improvements (Attachment 28)
 - (12) Project Budget (Final) for Heating Plant Upgrade – Improve Condensate Return System (Attachment 29)
 - (13) Project Budget (3rd Revised Final) for Floriculture Greenhouse (Under Separate Cover)
- 6. Health Center Report
 - (a) Report on Health Center activities
 - (b) Items requiring Board discussion and approval:

On a motion by Mr. Cloud, seconded by Mr. Bessette, the Board voted unanimously to approve the following items:

 - (1) Spending Plan for Fiscal Year 2014 for the University of Connecticut Health Center (Under Separate Cover)
 - (2) Capital Spending Plan for Fiscal Year 2014 for the University of Connecticut Health Center (Under Separate Cover)
- 7. Joint Audit and Compliance Committee Report
 - (a) Report on Committee activities
- 8. Buildings, Grounds and Environment Committee Report
 - (a) Report on Committee activities
 - (b) Item requiring Board discussion and approval:

On a motion by Mr. Ritter, seconded by Ms. Cantor, the Board voted unanimously to approve the following item:

 - (1) Draft Record of Decision (RoD) for the Connecticut Environmental Policy Act Environmental Impact Evaluation of Potential Sources of Water Supply (Under Separate Cover)
- 9. Construction Management Oversight Committee Report
 - (a) Report on Committee activities
- 10. Student Life Committee Report
 - (a) Report of Committee activities

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11. Institutional Advancement Committee Report

- (a) Report on Committee activities
- (b) Item requiring Board discussion and approval:

On a motion by Mr. Carbray, seconded by Ms. James, the Board voted unanimously to approve the following item:

- (1) Memorandum of Understanding between the University of Connecticut and the University of Connecticut Alumni Association for Fiscal Year 2014

(Attachment 30)

12. Committee on Compensation Report

- (a) Report on Committee activities

13. Other business

14. Executive Session anticipated.

EXECUTIVE SESSION

On a motion by Mr. Ritter, seconded by Ms. Bailey, the Board voted unanimously to go into Executive Session at 12:21 p.m. to discuss:

1. Preliminary drafts and notes that the University has determined that the public interest in withholding such documents clearly outweighs the public interest in disclosure; and
2. The contents of real estate appraisals, engineering or feasibility estimates and evaluations made for or by an agency relative to the acquisition of property or to prospective public supply and construction contracts, until such time as all of the property has been acquired or all proceedings or transactions have been terminated or abandoned; and
3. Commercial or financial information given in confidence, not required by statute; and
4. Discussion concerning the appointment, employment, performance, evaluation, health or dismissal of a public officer or employee, provided that such individual may require that discussion be held at an open meeting; and
5. Records of law enforcement agencies not otherwise available to the public which records were compiled in connection with the detection or investigation of a crime pursuant to Sec. 1-210(b)(3).

Chairman McHugh noted that on the advice of counsel only staff members whose presence was necessary to provide their opinion would be permitted to attend Executive Session.

Trustees Archambault, Bailey, Barham, Bessette, Bunnell, Cantor, Carbray, Cloud, Daniels, Dennis-LaVigne, James, Kruger, Lobo, McHugh, and Ritter were in attendance.

Trustee Nayden participated by telephone.

The following University staff were present for part of the Executive Session: President Herbst, Provost and Executive Vice President for Academic Affairs Choi, Executive Vice President for Administration and Chief Financial Officer Gray, Vice President for Communications Kendig, Athletic Director Manuel, Executive Secretary to the Board Rubin, General Counsel Orr, Counsel Gelston, and Deputy Chief of Staff Kirk.

The Executive Session was temporarily postponed at 12:22 p.m. and reconvened at 12:40 p.m.

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OPEN SESSION

The Board returned to Open Session at 1:35 p.m.

15. Adjournment

Chairman McHugh announced that the next meeting of the Board of Trustees is scheduled for Wednesday, September 25, 2013 in the Rome Commons Ballroom.

There being no further business appearing, the Board meeting adjourned at 1:36 p.m.

Respectfully submitted,

Louise M. Bailey
Secretary